109TH CONGRESS
1ST SESSION

H. R. 376

To amend title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate fair prices for Medicare prescription drugs on behalf of Medicare beneficiaries.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2005

Mrs. EMERSON (for herself, Mr. MOORE of Kansas, Mr. RAMSTAD, Mr. ROSS, Mr. WAMP, Mr. DAVIS of Florida, Mr. BURTON of Indiana, and Mr. EMANUEL) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To amend title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate fair prices for Medicare prescription drugs on behalf of Medicare beneficiaries.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Medicare's Equitable

5 Drugs for Seniors Act of 2005".

SEC. 2. NEGOTIATING FAIR PRICES FOR MEDICARE PRE-SCRIPTION DRUGS ON BEHALF OF MEDICARE BENEFICIARIES.

Section 1860D–11 of the Social Security Act (42 U.S.C. 1395–111) is amended by striking subsection (i) (relating to noninterference) and by inserting the following:

"(i) AUTHORITY TO NEGOTIATE PRICES WITH MANUFACTURERS.—In order to ensure that beneficiaries enrolled under prescription drug plans and MA–PD plans pay the lowest possible price, the Secretary shall have authority similar to that of the Secretary of Veterans Affairs, Secretary of Defense, and the heads of other Federal agencies and departments that purchase prescription drugs in bulk to negotiate contracts with manufacturers of covered part D drugs, consistent with the requirements and in furtherance of the goals of providing quality care and containing costs under this part.".

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